

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12994, of Thaddeus A. Lindner, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to continue the use of a parking lot in an R-5-D District at the premises 1021-33 - 22nd Street, N. W., (Square 73, part of Lot 81, formerly Lots 862, 863 and 66).

HEARING DATE: July 25, 1979

DECISION DATE: August 8, 1979

FINDINGS OF FACT:

1. The subject property is located in an R-5-D District at the southeast corner of the intersection of 22nd and "L" Streets, N. W.

2. The property was formerly known as assessment and taxation Lots 862, 863, and 66, as shown on the Surveyor's Plat marked as Exhibit No. 2-A of the record. Those three lots have been combined with other lots, and are now part of record Lot 81, as shown on the Surveyor's Plat marked as Exhibit No. 2-B of the record.

3. The subject property is presently being used as a parking lot pursuant to the Order of the Board dated June 3, 1974 in Case No. 11616.

4. The applicant proposes to continue the parking lot for a period of two years. The applicant is in the process of preparing plans for the construction of a combination office and apartment building which would occupy the entire east side of 21st Street between "K" and "L" Streets. The request for a two year continuation is to cover the period of time necessary to apply for building permits and begin construction on the new building.

5. The parking lot presently serves uses in the neighborhood, including various apartment and condominium projects in the area, several grocery stores, a restaurant and several carry-outs, the Psychiatric Institute and the George Washington University Hospital and Clinic.

6. There have been no complaints as to the operation of the lot.

7. The record reflects that the lot complies with the applicable conditions of Article 74.

8. The application was referred to the Department of Transportation on June 6, 1979. No report from the Department was received in the record in this case.

9. There was no report from Advisory Neighborhood Commission 2-A or 2-B.

10. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the applicant has met the conditions specified in Paragraph 3104.44. The lot complies with all of the applicable provisions of Article 74. The lot is reasonably necessary and convenient to the uses in the neighborhood which it serves. There were no complaints regarding the operation of the lot, nor was there any opposition to the continuation of the lot. The present and past operation do not evidence any dangerous or objectionable traffic conditions. The Board notes that the applicant has plans to terminate the parking lot and develop the site in the short term future. The Board concludes that the continuation of the lot for a short period will be in harmony with the general purpose and intent of the Zoning Regulations and will not tend to effect adversely the use of neighboring properties. It is therefore ordered that the application is GRANTED subject to the following conditions:

- a. Approval shall be for a period of two years from the date of expiration of the previous Certificate of Occupancy
- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

- f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, Leonard L. McCants and William F. McIntosh to grant).

BY ORDER OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 9 OCT 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.